IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 7203 of 2007

DATED: 10.4.2007

Between:

Venkataswamy petitioner

And

The Govt of A.P.,
Rep by its Principal Secretary Revenue (Endowment-I)
Secretariat, Hyderabad & 2 ors respondents

THE HON'BLE SRI JUSTICE N.V.RAMANA

WRIT PETITION NO. 7203 OF 2007

ORAL ORDER:

This writ petition is filed questioning Sub-rule IV in respect of items (i) (ii) and (iii) of Rule 9 (ii) of Annexure-I of G.O.Ms.No.1060 Revenue (Endowment-I) dated 24.10.1989 contemplating that the personnel specified therein shall pass account test for Executive Officers for promotion to the post of Deputy Executive Engineer in Tirumala Tirupathi Devastanam, as illegal and arbitrary.

The petitioner herein is employed in the Tirumala Tirupati Devastanam as Assistant Executive Engineer. The Assistant Executive Engineers are entitled to promotion to the next higher post of Deputy Executive Engineer. Admittedly, the petitioner has not passed the Accounts test for Executive Officers. The petitioner alleges that he is entitled to be promoted to the post of Deputy Executive Engineer in terms of Engineering Service Rules and resolution Nos. 267 and 268 dated 4.7.1990 of Tirumala Tirupati Devastanam. The grievance of the petitioner is that there are instances where the Assistant Executive Engineers who have not passed the Accounts Test for Executive Officers, were considered for promotion and he cannot be discriminated and deprived of promotion on the ground that he has not passed the departmental test. Hence, the present writ petition.

Learned counsel for petitioner submitted that the petitioner is

entitled to promotion to the post of Deputy Executive Engineer and has submitted a representation dated 9.10.2006 requesting the authorities to permit him to pass the Accounts Test for Executive Officers within a period of probation and alleges that no orders were passed thereon.

Heard learned counsel for petitioner, learned Government Pleader for Endowments and Mr. P. Harinath Gupta, learned standing counsel for respondent devastanam. They agreed for disposal of the writ petition at the stage of admission with a direction to the second respondent to dispose of the representation of the petitioner in accordance with law expeditiously.

Having regard to the agreed stand taken by the counsel appearing for both parties, without going into the merits of the matter, the writ petition is disposed of directing the second respondent to consider the representation of the petitioner dated 9.10.2006 and dispose of the same in accordance with law, expeditiously.

Accordingly, the writ petition is disposed of. No costs.

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N.V.RAMANA,J

DATE; 10.4.2007
TVK

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THE HON'BLE MR JUSTICE N.V. RAMANA

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